

# **EXHIBIT 37**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

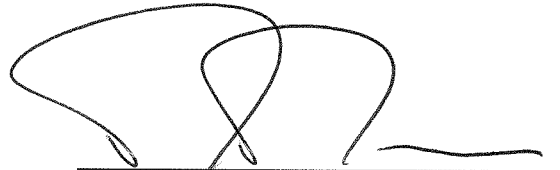
UNITED STATES FIDELITY AND	)	
GUARANTY COMPANY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.: 1:08-cv-00862
	)	
VOA ASSOCIATES INC., LIBERTY	)	Judge Matthew F. Kennelly
INTERNATIONAL UNDERWRITERS,	)	Magistrate Judge Geraldine Soat Brown
MICHAEL J. MADDEN and JEAN MADDEN,	)	
	)	
Defendants.	)	

**AFFIDAVIT OF RORY T. DUNNE**

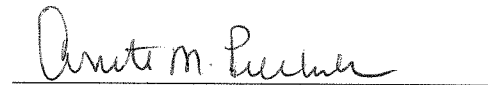
Rory T. Dunne, under oath, deposes and states:

1. I am lead counsel representing United States Fidelity and Guaranty Company (“USF&G”) in the above-captioned declaratory judgment action.
  
2. USF&G withdraws all claims against Liberty International Underwriters (“Liberty”) for past, present and future expenses and fees paid or to be paid by USF&G in defense of VOA Associates, Inc. (“VOA”) in the underlying litigation captioned as Michael J. Madden, et al. v. P.H. Paschen, et al., No. 03 L 000433 (the “Madden Litigation”)
  
3. USF&G has not withdrawn and expressly reserves claims for reimbursement from VOA for defense expenses and fees incurred after USF&G requested VOA’s permission to withdraw from VOA’s defense.
  
4. USF&G has not withdrawn and expressly reserves all of its rights and defenses with regard to its potential (unripe) claims for reimbursement from Liberty in the event that USF&G should be found liable to indemnify VOA Associates, Inc.

FURTHER AFFIANT SAITH NOT.

  
\_\_\_\_\_  
Rory T. Dunne, Esq.

Subscribed and Sworn to Before Me  
on this the 8<sup>th</sup> day of April, 2009.

  
\_\_\_\_\_  
Notary Public